

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

DIANE G. REED, TRUSTEE

V.

CITY OF ARLINGTON, ET AL.

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ACTION NO. 4:11-CV-093-Y

ORDER GRANTING MOTION TO DISMISS AND DISMISSING ONE DEFENDANT

On September 5, 2012, Plaintiff and defendant North Texas Super Bowl XLV Host Committee, Inc. ("Host Committee"), filed a joint motion to dismiss Plaintiff's claims against Host Committee (doc. 100). *See* Fed. R. Civ. P. 41(a). The Court GRANTS the motion and DISMISSES Plaintiff's claims against Host Committee with prejudice. *See Montoya v. FedEx Ground Package Sys., Inc.*, 614 F.3d 145, 148 (5th Cir. 2010) (holding Rule 41(a) is available to voluntarily dismiss less than all of multiple defendants); *Plains Growers, Inc. v. Ickes-Braun Glasshouses, Inc.*, 474 F.2d 250, 253 (5th Cir. 1973) (same). When costs are assessed, the Court will order Plaintiff to pay all costs under 28 U.S.C. § 1920 associated with the claims dismissed in this order as agreed to by Plaintiff and Host Committee. *See* Fed. R. Civ. P. 54(d)(1).

SIGNED September 6, 2012.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE